

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------|---|--|
| LUX GLOBAL LABEL COMPANY, LLC |) | CASE NO. 2:18CV05061 |
| |) | |
| |) | |
| Plaintiff, |) | JUDGE C. DARNELL JONES, II |
| |) | |
| vs. |) | |
| |) | <u>PARTIES' JOINT STATUS REPORT</u> |
| JAMES H. SHACKLETT, IV, et al., |) | |
| |) | |
| |) | |
| Defendants. |) | |

Pursuant to the Court's October 23, 2019 Order (ECF 64), the parties jointly submit the following status report:

1. Discovery

Despite the parties' efforts to negotiate an ESI protocol to address preservation, collection, review, and production of electronically stored information, the parties reached impasse and Plaintiff filed a Motion to Compel on February 10, 2020 (ECF 69) which is currently pending. Plaintiff's motion seeks forensic imaging of computers, phone and email and iTunes accounts that Plaintiff contends Defendants have to provide. Defendants disagree that they "have to provide" the invasive, complicated, burdensome, and disproportionate forensic imaging and analysis of multiple devices and accounts sought by Plaintiff and will be opposing Plaintiff's motion.

In terms of other discovery, the parties served Interrogatories and Requests for Production of Documents upon each other on October 4, 2019 and continue to meet and confer regarding outstanding written discovery. The parties intend to engage in good faith efforts to resolve these disputes. Although the parties anticipate resolving some of their discovery differences, the parties may need the Court's assistance to resolve future discovery impasses.

After conclusion of ESI and written discovery, the parties intend to take depositions.

2. Upcoming Deadlines

The only upcoming deadline is a fact discovery deadline of June 1, 2020. As of right now, the parties do not anticipate a need to ask the Court to adjust this deadline. However, depending on the status of the parties' ESI discovery dispute and other written discovery, the parties may jointly seek an extension of time.

3. Settlement Conference and Potential Mediation

At this time, the parties are scheduled for a settlement conference on February 27, 2020. The parties are conferring as to whether the requested ESI discovery and other written discovery will be provided prior to the settlement conference and the possible impact on settlement discussions.

Respectfully submitted,

Dated: February 14, 2020

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